IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE MR. JUSTICE J.CHELAMESWAR
And
THE HON'BLE MR. JUSTICE D.APPA RAO

THURSDAY, THE TWENTY FIRST DAY OF DECEMBER, TWO THOUNSAND SIX

WRIT APPEAL NO. 1340 OF 2006

Between:

M. Satyanarayana

Appellant/Writ Petitioner

AND

Bhimavaram Municipal Council,
Bhimavaram, West Godavari District,
Rep. By its Chair Person and another

Respondents/Respondents

JUDGMENT:
(Per the Hon'ble Sri Justice J.Chelameswar)

Aggrieved by the judgment in Writ Petition No. 8418 of 1999 dated 05.07.2006, the unsuccessful petitioner preferred this writ appeal.

In the writ petition, the petitioner challenged notice-dated 01.04.1999 of the second respondent, by which the second respondent called upon the petitioner to demolish the construction

made by him for various reasons mentioned in the said notice.

The learned Judge in the judgment under appeal gave very elaborate and cogent reasons for dismissing the writ petition, which in our view, do not warrant any interference.

However, the learned counsel for the appellants submits that the learned Judge while dismissing the writ petition, awarded heavy costs of Rs.50,000/-, of which Rs.25,000/- shall be paid to the Bhimavaram Municipality, second respondent herein and Rs.25,000/- to the Secretary, A.P. State Legal Services Authority, which would workout very harsh on the petitioner.

Heard the learned counsel for the respondents.

In the circumstances, we deem it appropriate to modify only that part of the judgment by which the learned Single Judge directed payment of costs, to the effect that the appellant shall pay an amount of Rs.5,000/- (Rupees Five Thousands only) to the second respondent municipality and Rs.5,000/- (Rupees Five Thousands only) to the Secretary, A.P. State Legal Services Authority. The amounts shall be paid within a period of four weeks from today.

Except for this modification, the judgment under appeal remains unaltered. The appeal is accordingly disposed of. No order as to costs.

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J.Chelameswar, J.

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D.Appa Rao, J.

December 21, 2006

MAS.